

*Trion James v. Port Authority Police Department, Port Authority of New York and New Jersey, Edward Cetnar (in his official capacity), Christopher McNerney (in his official capacity), and Does 1-5*

*Civil No.: 1:22-cv-02463-PGG*

# EXHIBIT H

IN THE MATTER	
of	
James Zammit	DOCKET No. 1955
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(Employee's Name)	
Police Officer – Employee # 44999	
Aircraft Rescue Fire Fighting (ARFF)	
Unit – LaGuardia Airport	
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(Payroll Title)	

SIR/MADAM: The undersigned hereby charges you as follows:

**CHARGE 1**

Substantial violation of the General Rules and Regulations for All Port Authority Employees.

**SPECIFICATION 1**

On or about December 20, 2019, while at a holiday party at the World Trade Center Command, you referred to Sgt. Trion James as a “fucking faggot,” or words to that effect.

**SPECIFICATION 2**

On or about December 20, 2019, while at a holiday party at the World Trade Center Command, you referred to Sgt. Aaron Woody as a “Nigger,” or words to that effect.

**SPECIFICATION 3**

On or about December 20, 2019, while at a holiday party at the World Trade Center Command, you made a general reference in the presence of Trion James and Aaron Woody, stating, “these Niggers,” or words to that effect. Both officers are African Americans.

These actions were in violation of the Port Authority General Rules and Regulations, Port authority Employee Code of Ethics, Port Authority Administrative Instructions, Port Authority Police General Orders, and the Port Authority Police Division Instruction, including but not limited to, the following:

Chapter 1, "Applying the Rules", Paragraph 2, which provides, "It is each employee's responsibility to observe all official regulations and instructions affecting the operations of Port Authority properties, revenues and other related matters."

Chapter 3, Conduct, Off the Job, Paragraph 1, which provides, in part, “Time off duty should not be used in a manner which is likely to hinder employees from the efficient performance of their duties or to bring discredit upon the Port Authority.”

Chapter 3, Conduct On The Job, Paragraph 6, which provides, in part, “Relations with fellow employees, as well as those with the public and supervisors, should be handled with tact and courtesy at all times.”

Chapter 4, Public Relations, Introductory Paragraph, which provides, “Because the public tends to judge an organization by its employees, it is essential that their behavior be above reproach.”

*[Handwritten signature]*

THE PORT AUTHORITY OF NY & NJ

4 World Trade Center  
150 Greenwich Street  
New York, NY 10007

IN THE MATTER  
of

James Zammit

(Employee 's Name)

Police Officer

(Payroll Title)

DOCKET # 1955

Sir/Madam: You are hereby directed to appear for a  
Hearing at \_\_\_\_\_  
Room \_\_\_\_\_  
on \_\_\_\_\_  
20 \_\_\_\_\_ at \_\_\_\_\_ M.,

in connection with the within charges and  
specifications. You are entitled to be represented by  
counsel and bring such witnesses as you desire

(Signed) Director, Human Resources Dept.

(If no date for hearing has been set at the time  
services of these charges and specifications, you will  
subsequently receive the required notice of hearing.)

I hereby acknowledge receipt of the within charges  
and specifications.

Dated: \_\_\_\_\_ 20 \_\_\_\_\_

Time: \_\_\_\_\_ A.M. P.M.

(Employee's Name)

(Payroll Title)

FOR USE OF DEPARTMENT HEADS ONLY

I recommend the following action to be taken with respect to the within charges and specifications  
To be presented to a Board of Inquiry as a **Major Discipline**

(Signed)



Dated: April 28  
New York

20 Superintendent of Police/Director, PSD  
(Departmental Title)

Chapter 4, Public Relations, Paragraph 2, which provides, in part, "It is important that public and business contacts be conducted with politeness and respect."

Chapter 5, Doing the Job, General Duties, Paragraph 1, which provides, "An employee must maintain an acceptable standard of performance in order to be retained in his position."

Chapter 10 Disciplinary Action, Paragraph 1, which provides, "Violation of any of the rules in these General Rules and Regulations, or other rules promulgated by the Port Authority, can cause employees to be subject to varying degrees of discipline, depending on the circumstances in each case."

Violation of Port Authority Police General Order, Procedure No.100-10, "Rules of Conduct", Section II, Paragraph 1, which provides, "A member shall be responsible for any act or omission which in any way is prejudicial to good order or discipline, or reflects upon the good name or reputation, or adversely affects its interest or those of the general public, whether or not such act or omission is specifically mentioned in these or other rules or regulations of the Port Authority."

Violation of Port Authority Police General Order, Procedure No.100-10, "Rules of Conduct", Section II, Paragraph 2, which provides, "A member must promptly obey all lawful and proper orders and instructions, written or otherwise, however transmitted or received."

Violation of Port Authority Police General Order, Procedure No.100-10, "Rules of Conduct", Section II, Paragraph 4, which provides, in part, "A member shall be civil and respectful to officers of superior rank."

Violation of Port Authority Police General Order, Procedure No.100-10, "Rules of Conduct", Section II, Paragraph 5, which provides, "A member shall be dignified and courteous in his dealings with other members and all other employees of the Port Authority."

Violation of Port Authority Police General Order, Procedure No.100-10, "Rules of Conduct", Section II, Paragraph 33, which provides, "A member shall not use his time while off duty in a manner that renders him unfit for the proper and efficient performance of his duties."

Violation of Port Authority Employee Code of Ethics

Violation of Port Authority Administrative Instruction 20-1.19, Equal Employment Opportunity Policy

Violation of Port Authority Administrative Instruction 20-1.20, Sexual Harassment Policy

Violation of Port Authority Administrative Instruction 20-1.22, Transgender Inclusion and Non-Discrimination Policy

Violation of Title VII of the 1964 Civil Rights Act